

SAN LUIS OBISPO PLANNING DEPARTMENT HEARINGS
MINUTES OF THE MEETING OF

October 7, 2005

Minutes of the Regular Meeting of the County Planning Department Hearings held in the San Luis Obispo County Planning and Building Department Conference Room, County Government Center, San Luis Obispo, California, at 9:00 a.m.

The meeting is called to order at 9:00 a.m. by John Euphrat, Hearing Officer.

The following action minutes are listed, as they were acted upon by the Hearing Officer of the Planning Department Hearings, and as listed on the agenda for the Regular Meeting of October 7, 2005, together with the maps and staff reports attached thereto and incorporated therein by reference.

PUBLIC COMMENT PERIOD

Benjamin Cisneros, applicant for item #1 - DRC2004-00067/Cisneros - is present for any questions. John Pryor, architect, is present for item #5 - DRC2004-00188/Vanderpoel. Mr. Prior states a couple of corrections should be made to Conditions 1.b and 14.a regarding the description of "*street center-line*" versus "*from natural grade*", indicating that in both instances, this should read: "The maximum height of the project is 15 feet *from the center line of the fronting street, narrow side for corner lots, at a point midway between two side property lines projected to the street's center line to the highest point of the roof.*" These corrections have been noted and will be made to the staff report accordingly.

CONSENT AGENDA:

None

NON-HEARING ITEMS:

1. This being the time set for hearing to consider a request by **BENJAMIN CISNEROS** for a Minor Use Permit/Coastal Development Permit to allow a new two-story 1,536 square foot storage building. The project will result in the disturbance of approximately 768 square feet of a 0.96 acre parcel. The proposed project is within the Industrial land use category and is located at 2295 Willow Road (Highway 1), within Callendar-Garrett, approximately four miles west of the community of Nipomo in the South County (Coastal) planning area. This project is exempt under CEQA.
County File No: DRC2004-00067. APN: 091-341-015. Supervisorial District: 4. Date Accepted: August 4, 2005. Ryan Hostetter, Project Manager.

MINUTES:

Hearing Officer: John Euphrat

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 13 in Exhibit B. (Document No. 2005-151)

2. This being the time set for hearing to consider a request by **BRUCE AND SANDY KESSLER** for a Minor Use Permit/Coastal Development Permit to allow the demolition of an existing residence and construction of a new 3,765 square foot single-family residence with attached garage. The project will result in the disturbance of approximately 3,000 square feet of a 3,550 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 326 Huntington Drive in the community of Cambria in the North Coast planning area. This project is exempt under CEQA. **County File No: DRC2005-00028.** APN: 022-313-014. Supervisorial District: 2. Date Accepted: August 29, 2005. Martha Neder, Project Manager.

MINUTES:

Hearing Officer: John Euphrat

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through I in Exhibit A and subject to Conditions 1 through 25 in Exhibit B. (Document No. 2005-152)

3. This being the time set for hearing to consider a request by **ERWIN OHANNESIAN** for a Minor Use Permit/Coastal Development Permit to allow a new, detached 625 square foot garage on a 6,828 square foot residential property with an existing 1,750 square foot (gross structural area) single-family residence. The project also includes the conversion of the existing attached 200 square foot garage to living area. The project will result in the disturbance of approximately 1,093 square feet of a 6,828 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 1990 Dorking Ave in the community of Cambria, in the North Coast planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the project pursuant to Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address Biological Resources. **County File No: DRC2004-00237.** APN: 024-034-042, and -049. Supervisorial District: 2. Date Accepted: June 28, 2005. Ryan Hostetter, Project Manager.

MINUTES:

Hearing Officer: John Euphrat

Thereafter, on motion of the hearing officer, the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit/Coastal Development Permit is granted based on Findings A through M in Exhibit A and subject to Conditions 1 through 23 in Exhibit B. (Document 2005-153)

4. This being the time set for hearing to consider a request by **LAWRENCE & JEAN PRESTON** for a Minor Use Permit/Coastal Development Permit to allow the conversion of an existing 297 square foot workshop into a 577 square foot guest house. This project will result in a 1,345 square-foot footprint and 2,050 square feet of gross structural area. The project will not result in any ground disturbance on a 5,450 square foot parcel. The proposed project is within the Residential Single Family land use category and is located at 2595 Camborne Place in the community of Cambria (Lodge Hill) in the North Coast planning area. This project is exempt under CEQA. **County File Number: DRC2004-00228.** APN: 023-281-028. Supervisorial District: 2. Date Accepted: May 6, 2005. Elizabeth Kavanaugh, Project Manager.

MINUTES:

Hearing Officer: John Euphrat

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through O in Exhibit A and subject to Conditions 1 through 20 in Exhibit B.

5. This being the time set for hearing to consider a request by **PETER AND VIVIAN VANDERPOEL** for a Minor Use Permit/Coastal Development Permit to allow demolition/removal of an existing 1,465 square foot duplex and construction of an approximately 3,500 square foot, two-story single-family residence with an attached garage. The project will result in the disturbance of approximately 5,600 square feet of a 6,770 square-foot parcel. The

proposed project is within the Residential Single Family land use category and is located at 400 Pacific Avenue in the community of Cayucos, in the Estero planning area. This project is exempt under CEQA. **County File No: DRC2004-00188.** APN: 064-148-004. Supervisorial District: 2. Date Accepted: July 21, 2005. Marsha Lee, Project Manager.

MINUTES:

Hearing Officer: John Euphrat

Thereafter, on motion of the hearing officer, the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1.b through 19 in Exhibit B with identical changes to Conditions 1.a and 14.b to read: "maximum height of the project is 15 feet *from the center line of the fronting street, narrow side for corner lots, at a point midway between two side property lines projected to the street's center line to the highest point of the roof*"; changes to Condition 14.a to read, "The maximum height of the project is 15 feet *from the center line of the fronting street, narrow side for corner lots, at a point midway between two side property lines projected to the street's center line to the highest point of the roof.*", and in Condition 16 change the word "CDF" to "Cayucos Fire Department." (Document No. 2005-155)

HEARING ITEMS:

6. This being the time set for hearing to consider appeal by **KEITH AND LISA GUY** to the Administrative Fine of \$500.00 for Grading Permit violations, on property located at 6775 Avila Valley Drive, CA. **County File Number: COD2005-00072.** Date appeal filed: September 6, 2005. Supervisorial District 3. Kari Scamara, Code Enforcement Officer. Hearing officer explains ordinance.

MINUTES:

Hearing Officer: John Euphrat

Keith Guy, appellant, is sworn in by Planning Department Hearing Secretary.
Kari Scamara, Code Enforcement, gives investigator's report.

Mr. Keith Guy, appellant, explains his understanding of permit requirements, including the amount of allowable earth that can be moved. States he is in the process of obtaining the proper permit. States he has a right to modify his lot. States he has gotten permits in the past, as required, and that he misunderstood the 100-yard allowable amount of dirt that could be moved. States his project has moved slowly.

Kari Scamara, Code Enforcement staff, advises the appellant he can present a letter of extension request for more time for his project. States she will waive the additional extra daily charges.

Hearing officer thanks Mr. Guy for taking the time to come in and explain his side even though he was in violation.

Thereafter, on motion of the hearing officer, the appeal of the Administrative Fine of \$500 for Land Use violations is denied. (Document No. 2005-156)

7. This being the time set for hearing to consider a request by **MANUEL AND HELEN CISNEROS** for a Lot Line Adjustment to adjust the lot lines between three parcels of 2,366.9 square feet, 4,660.5 square feet and 6,807.3 square feet each. The adjustment will result in three parcels of 5,268 square feet, 4,326.6 square feet and 4,240.1 square feet each. The project will not result

in the creation of any additional parcels. The proposed project is within the Residential Single Family land use category and is located at 1155 K Street in the community of San Miguel in the Salinas River planning area. This project is exempt under CEQA. **County File No: SUB2004-00190/COAL04-0583**. APN: 021-271-002. Supervisorial District: 1. Date Accepted: January 10, 2005. Nick Forester, Project Manager.

MINUTES:

Hearing Officer: John Euphrat

Others: Terry Payne, representative for applicant.

Nick Forester, staff, presents project and recommends approval.

Terry Payne, agent, has no questions. States the applicants are satisfied with the staff report.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is approved based on Findings A through D in Exhibit A and subject to Conditions 1 through 11 in Exhibit B.

8. This being the time set for hearing to consider a request by **JPK Inc.** for a Lot Line Adjustment to adjust the lot lines between two parcels of 3.14 and 1.94 acres each (gross). The adjustment will result in two parcels of 2.57 and 2.51 acres (gross) each respectively. The project will not result in the creation of any additional parcels. The proposed project is within the Residential Suburban land use category and is located at 3710 Lorraine Way and 3725 Plymouth Hill approximately 1,000 feet north of the City of Paso Robles on Vine Street, on the west side of Highway 101, in the Salinas River planning area. This project is exempt under CEQA. **File Number: SUB 2003-00193/COAL03-0322**. APN: 018-033-001 & 018-031-028. Supervisorial District: 1. Date Accepted: March 2, 2005. Ryan Hostetter, Project Manager.

MINUTES:

Hearing Officer: John Euphrat

Others: William Gutches, owner; Alan Volbrecht, agent.

Ryan Hostetter, staff, presents project and recommends approval.

Al Volbrecht, agent, thanks staff for their help.

Mr. William Gutches, owner, discusses easement requirements.

There is discussion of the area map showing the established access.

Thereafter, on motion of the hearing officer, the Lot Line Adjustment is approved based on Findings A through D in Exhibit A and subject to Conditions 1 through 9 in Exhibit B.

9. This being the time set for hearing to consider a request by **SHERMAN STARR** et el for a Minor Use Permit/Coastal Development Permit to allow three single family residences on three existing parcels of Parcel Map CO 95-055 (lots 2-4). Lot 2 of Parcel Map CO 95-055 proposes to construct a single family residence and garage of 6,250 square feet and a pool, Lot 3 of CO 95-055 proposes to construct a single family residence of 3,138 square feet, and lot 4 of CO 95-055 proposes to construct a single family residence of 3,574 square feet. The project will result in the disturbance of approximately 20,000 square feet (2 of the 3 pads have already been

graded) on three parcels totaling 2.3 acres. The proposed project is within the Residential Suburban land use category and is located on the north and southeast portions of the intersection of Starr Lane and Valley Vista in the community of Los Osos, in the Estero Planning Area. Also to be considered at the hearing will be approval of the Environmental Document prepared for the project pursuant to Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address biological resources, cultural resources, public services, and transportation. **County File No. D010161P.** APN's: 074-325-062, -063, and -064. Supervisorial District 2. Date Accepted: June 10, 2005. Kerry Brown, Project Manager.

MINUTES:

Hearing Officer: John Euphrat

Others: Mike O'Connor, neighbor; Michael Lorenzo, designer; Sandra Bean, neighbor; Kymm Jones, neighbor; Yvonne Reiter-Brown, neighbor; Nancy Kolliner, neighbor; Shirley Palmer, neighbor.

Kerry Brown, staff, presents project, detailing number of units to be built on each parcel. Addresses concerns on size of house on Lot 2. Indicates parcel #2 is proposed to be a 6,250 square foot residence including a garage, basement, and pool. Lot #3 is proposed to be a 3,138 square foot residence to include a garage, and Lot #4 is proposed to be a 3,574 square foot residence with a garage. Ms. Brown states these lots were created with a subdivision, CO95-055, that was approved in May 1997 and that the map was recorded in October 2003. Indicates most of the phone calls received, and the letter requesting a hearing on this project, indicated concerns with the size proposed for the residence on Lot #2. States the height limit in the area is 35 feet; however, staff is requiring a height limit of 25 feet to stay more in line with the height of other residences in the area. Addresses proposed changes to Condition 3 regarding height requirements, and addition of new Conditions 20 through 22 to address elevations, landscaping, and septic discharge, as read into the record. States Conditions 7 through 11 (biological conditions) only apply to Lot #4.

Jeff Edwards, agent, states he has reviewed the proposed condition changes, understands the changes, and finds the new conditions workable. States his concerns with the height requirements on parcel #2. Requests approval of project based on revised conditions.

Michael Lorenzo, speaks on Lot #2. Addresses height.

There is review of the elevation maps and discussion.

Mike O'Connor asks Jeff about parcel #2 and the square footage. Indicates the site map shows .6 acres.

Jeff Edwards states the gross square footage is at 37,430 square feet. Indicates Mr. O'Connor is correct.

Yvonne Rieter-Brown, representing owners on LaMirada Lane, contests the design of the proposed project. Presents signed petition and other information for the record. Addresses the building ordinance. Speaks to the development of the consistency of the cluster to be built. Recommends that the building be consistent with the proposed Ordinance 23.4.021 relating to scenic corridors. States concerns with building visibility. Addresses parcel #1 which is part of a 4-part cluster, indicating the neighborhood is similar to a cluster with open space parcels. States LaMirada Lane is the character of the neighborhood - in particular the building heights are consistent.

Shirley Palmer, resident, indicates her residence will be behind where the project will be built. States concerns with views and privacy issues. States she does not believe the house fits in with the existing character of the neighborhood.

Kim Jones, resident west of proposed parcel #2, states her concerns with views and privacy. Asks that the project be downsized to protect the view.

Nancy Collendar, resident two houses east of proposed development, states her concerns with the proposed development and believes it will change the aesthetics of the neighborhood. Cites concerns with property values due to the lack of rural appeal if this project is built. States concerns with open space being preserved, feels this project goes against the current atmosphere of the neighborhood.

Michael Lorenzo, architect, states he followed the set guidelines. Addresses costs. States he would have stuck to perimeters if they had been presented.

Sandra Bean, neighbor, addresses parcel #3. Requests that in the event there is a delay in construction permitting due to revisions to requirements that her son will be allowed to continue to move in.

Jeff Edwards, agent, speaks on the neighbors' concerns. States he has discussed all the concerns previously with the residents. Explains the Subdivision Review Board increased the setback from 20 to 30 feet. Mr. Edwards indicates his concern that the neighbors now wish to make further changes to the project. Describes proposed location of new homes in relation to the ocean. Addresses concerns of parcel #2. Indicates that he feels staff has done a good job with the conditions placed on the project, and requests approval, as modified, for this project.

Hearing Officer questions staff on the compatibility of the neighborhood. Discusses boundaries. Describes ordinance requirements related to those boundaries. Explains staff tried to keep balance as best as possible.

Kerry Brown, staff, states the new conditions were formed to address all issues. Explains there are no specific standards relating to size of homes, stating character is subjective. Indicates staff tried to address these issues with new conditions.

Nancy Kelliner, neighbor, makes final comments on design standards.

Thereafter, on motion of the Hearing officer, the Negative Declaration is adopted, in compliance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq., and the Minor Use Permit/Coastal Development Permit is granted based on Findings A through G in Exhibit A and subject to Conditions 1 through 18 in Exhibit B, with changes to Condition 3, paragraph 1, to read: *"The maximum height of all structures on lots 2 and 3 is 29 feet as measured from finished grade from the approved improvement plans for CO 95-055. The maximum height of all structures on lot 4 is 28 feet as measured from average natural grade"*, addition of Condition 19 to read: *"At the time of application for construction permits, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be*

selected for walls, chimneys etc. and darker green, grey, slate blue, or brown colors for the roof structures”; addition of Condition 20 to read: “At the time of application for construction permits, the applicant shall submit landscape, irrigation, landscape maintenance plans and specifications to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The landscape plan shall be prepared as provided in Section 23.04.186 of the San Luis Obispo County Coastal Zone Land Use Ordinance and shall minimize the appearance of all new development when viewed from Valley View Lane. The landscape plan shall utilize only plant material consistent with the CZLUO’s Landscape Standards/Plan Section”, and, addition of Condition 21 to read: “At the time of application for construction permits, the applicant shall show evidence that the proposed residences have been exempted from the basin plan discharge prohibition by the Regional Water Quality Control Board.”

There being no further business to discuss, the hearing is adjourned.

Respectfully submitted,
Mary Velarde, Secretary
Planning Department Hearings